

## **CHAPTER 5**

### **CODE ENFORCEMENT**

#### **Part 1**

#### **Fire Prevention Code**

- §101. Adoption of Fire Prevention Code
- §102. Amendments Made in Fire Prevention Code
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## Fire Prevention Code

§101. Adoption of Fire Prevention Code. The Township of Logan hereby adopts, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, the fire prevention code known as the "BOCA Basic Fire Prevention Code, 1996, Tenth Edition," save and except such provisions as are hereinafter deleted, modified or amended, of which three (3) copies have been and now are filed in the office of Municipal Secretary and the same are hereby adopted and incorporated as fully as if set out at length herein. From the date on which this Part shall take effect, the provision thereof shall be controlling within the corporate limits of the Township of Logan. (Ord. 12-24-87B, 12/24/1987, §1; as amended by Ord. 5-21-92, 5/21/1992, §1; and by Ord. 8-7-97, 8/7/97, §1; and Ord. 10-02-97A, 10/2/97, §1)

§102. Amendments Made in Fire Prevention Code. The fire prevention code hereby adopted is amended as follows:

1. Section F-101.1 is hereby amended to read as follows:

**F-101.1 Title:** These regulations shall be known as the Fire Prevention Code of the Township of Logan hereinafter referred to as "this code."

2. Section F-112.3 is hereby amended to read as follows:

**F-112.3 Penalty for Violations:** Any person who shall violate a provision of this code shall, upon conviction thereof, be subject to a fine of not less than \$100.00 nor more than \$1,000.00 or imprisonment for a term not to exceed 30 days, or both, at the discretion of the court. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

3. Section F-113.1 is hereby deleted in its entirety and in its place shall appear the following:

**F-113.1 Application for appeal:** Any person affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Township Manager provided a written application is filed in the Office of the Township Manager within twenty (20) days after the decision, notice or order of the said official code was served. The appeal to the Township Manager shall be an informal proceeding in which the Township Manager shall be entitled to review such evidence as said Manager deems necessary and appropriate. The Township Manager shall render a written decision within thirty (30) days of the date of filing said appeal with a copy thereof to be furnished to the appellant and to the code official. Any person wishing to appeal the decision of the Township Manager shall have such right to appeal to the Board of Supervisors of the Township of Logan provided a written application is filed in the Office of the Township Manager within 20 days after the day the decision by the Township Manager was served.

All applications for any appeal permitted herein shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means. Appeals to the Board of Supervisors of the Township of Logan shall in all cases be accompanied by a fee as determined by the Board from time to time.

4. Section F-113.2, including subsections 113.2.1 through 113.2.6 are hereby deleted in their entirety and in their place shall appear the following: [Reserved]

5. Section F-113.5 is hereby deleted in its entirety and in its place shall appear the following:

**F-113.5 Postponed hearing:** When two members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request and receive a postponement of the hearing. A new hearing shall be held within ten (10) days.

6. Section F-403.0 Open Burning and its subsections are hereby deleted in their entirety and in their place shall appear the following:

**F-403.0** [Reserved]

(Ord. 12-24-87B, 12/24/1987, §2; as amended by Ord. 10-27-88, 10/27/1988; and by Ord. 5-21-92, 5/21/1992, §2; and by Ord. 8-7-97, 8/7/97, §1; and Ord. 10-02-97A, 10/2/97, §1)

§103. State Laws and Regulations. In all matters that are regulated by the laws of the Commonwealth of Pennsylvania or by regulations of departments or agencies of the Commonwealth promulgated by authority of law, such laws or regulations, as the case may be, shall control where the requirements thereof are the same as or more limiting than the provisions of this Part. The code shall control in all cases where the State requirements are not as strict as those contained in this Part. (Ord. 12-24-87B, 12/24/1987, §3)

§104. Validity. The invalidity of any section or part of this Part shall not affect the remaining sections. (Ord. 12-24-87B, 12/24/1987, §4)

§105. Provisions to be Continuation of Existing Regulations. The provision of this Part, so far as they are the same as those of ordinances and/or codes in force immediately prior to the enactment of this Part, are intended as a continuation of such ordinances and codes and not as new enactments. The provisions of this Part shall not affect any act done or liability incurred, nor shall they affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under authority of any of the repealed ordinances. (Ord. 12-24-87B, 12/24/1987, §5)